UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/539,750	06/20/2005	Yukari Katayama	062758-0114	5029

20277 7590 10/15/2008

MCDERMOTT WILL & EMERY LLP
600 13TH STREET, N.W.
WASHINGTON, DC 20005-3096

EXAMINER	
CHOKSHI, PINKAL R	
ART UNIT	PAPER NUMBER
2425	
MAIL DATE	DELIVERY MODE
10/15/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/539,750	KATAYAMA ET AL.	
	Examiner	Art Unit	
	PINKAL CHOKSHI	2425	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 August 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *26,29 and 30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *26,29 and 30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 08/14/2006 with respect to claim 26 have been considered but are moot in view of the new ground(s) of rejection. See the new rejection below.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. **Claims 26, 29, and 30** are rejected under 35 U.S.C. 103(a) as being unpatentable over US PG Pub 2002/0122137 to Chen (hereafter referenced as Chen) in view of US PG Pub 2003/0097662 to Russ (hereafter referenced as Russ), and further in view of US PG Pub 2003/0135860 to Dureau (hereafter referenced as Dureau) and US Patent 7,200,855 to Laksono (hereafter referenced as Laksono)

Regarding **claim 26**, "a video display device for (1) displaying an extracted from a data frame received from a server for distributing images or another video display device located, at upstream side along a distribution path of said data frame, (2) forwarding the received data frame to one of other video display devices located at downstream side along the distribution path of said images, and (3) communicating at least one user terminal" reads on the television set that

receives broadcast video signals from terrestrial/head-end and transmits this signal to other television devices and handheld device in the household (¶0018 and ¶0027) disclosed by Chen and represented in Fig. 2 (elements 100, 120).

As to "the video display device comprising: a first communication interface for receiving, from said server or said another video display device at upstream side, a data frame generated by said server" Chen discloses (¶0028) that the TV set (100) receives MPEG transport stream from the headend as represented in Fig. 1 (elements 100, 191).

As to "the data frame including a destination information block" Chen discloses (¶0032 and ¶0041) that each stream, received in television set via TV broadcast antenna, contains an address that identifies the display devices which it is destined for as represented in Fig. 2 (elements 101, 150).

As to "first image data of an image to be displayed by one of the other video display devices and second image data of an image to be distributed to said user terminal or at least one user terminal coupled to any one of the other video display devices located along said distribution path" Chen discloses (¶0027) that the television companion device (120) is handheld device and television devices as represented in Fig. 1 (elements 120). Chen further discloses (¶0038) that each display device (120) is assigned an address that is used to determine which streams are to be received. Selector 104/124 compares the address of the TS received via TV broadcast antenna with the address assigned to display devices to determine correct stream that can be

transmitted to that specific display device. Chen further discloses (¶0056) that the specific TS, such as Documentary, is transmitted to television set (120 #1) and movie on television set (120 #2).

As to "the destination information block comprising a plurality of bits each corresponding to the video display device or one of the other video display devices located along said distribution path and at least one of the plurality of bits including flag information for designating a destination video display device of the data frame specified by said server" Chen discloses (¶0028 and ¶0038) that each TS, transmitted to television sets, includes a packet with plurality of bytes to identify a specific television set as represented in Fig. 1 (elements 191, 188).

As to "a second communication interface for communicating with said one of the other video display devices located at the downstream side of said distribution path in operation" Chen discloses (¶0027) that two display devices uses TV communication antenna to communicate with each other as represented in Figs. 1, 2 (element 109).

Chen meets all the limitations of the claim except "a third communication interface for communicating with said user terminal." However, Russ discloses (¶0063, ¶0086, ¶0087) that the master STB connected to multiple TV sets as well as mobile terminal, transmits signals to television set using one communication interface and transmits signals to mobile terminal using other communication interface as represented in Fig. 4. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Chen's

invention by using one more communication interface to communicate with mobile devices as taught by Russ in order to enable enormous amounts of data to be pumped through a wireless connection (¶0004).

As to "a data frame processing unit for forwarding said data frame to the downstream of said distribution path through said second communication interface after storing the data frame in a data storage so that the image reproduced from said first image data is displayed on the video display device and said second image data is distributed to said user terminal through said third communication interface when the bit corresponding to the video display device within said destination information block includes said flag information" Chen discloses (¶0028 and ¶0038) that each TS, transmitted to television sets, includes a packet with plurality of bytes to identify a specific television set as represented in Fig. 1 (elements 191, 188). Combination of Chen and Russ meets all the limitations of the claim except they do not explicitly teach that "the data content is stored on the on receiver before distributed to user terminal." However, Dureau discloses (¶0035, ¶0042, and ¶0044) that the receiver stores video content in the mass storage device (314) prior to being transmitted to PDA device since it runs primarily on receiver. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Chen and Russ's inventions by storing data on receiver prior to transfer to PDA device as taught by Dureau in order to store programming content on the bigger hard drive compare to smaller storage capacity in the PDA.

Combination of Chen, Russ, and Dureau meets all the limitations of the claim except "for forwarding said data frame to the downstream of said distribution path through said second communication interface without storing the data frame in said data storage with the bit corresponding to the video display device does not include said flag information." However, Laksono discloses (col.23, lines 52-59) that the main receiver (42) receives client data and temporarily stores it before being removed from the storage device and transmitted to other receiver in the network as represented in Fig. 7 (elements 42, 46). Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Chen and Russ's inventions by temporarily storing and removing content data or not storing this data on the storage device of the main receiver as taught by Laksono in order to free storage space on the main receiver when the secondary device can receive data directly without depending on hard drive of main receiver device.

Regarding **claim 29**, "the video display device wherein: said user terminal is a mobile phone" Chen discloses (¶0027) that one of the television sets is a handheld device.

Chen meets all the limitations of the claim except "said first communication interface and said first communication interface are complaint with IEEE 802.11a standard, and said third communication interface is complaint with IEEE 802.11b standard." However, Russ discloses (¶0058) that the

communication interfaces in the master STB device uses 802.11 standards to transmit signals through antenna 161 to other display devices and PDA. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Chen's invention by using one more communication interface to communicate with mobile devices as taught by Russ in order to enable enormous amounts of data to be pumped through a wireless connection (¶0004).

Regarding **claim 30**, "the video display device wherein said data frame includes, as said second image data, image data of an image which is related to and smaller than the image to be reproduced from said first image data" Dureau discloses (¶0035) that the image transmitted from receiver to PDA changes images to a format compatible with PDA as represented in Fig. 3 (element 352E). Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to modify Chen and Russ's inventions by changing image format of a regular video to a smaller image as taught by Dureau in order to fit the image of a TV screen on a PDA screen so the viewer can view image clearly without any image missing from the corners of the screen.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PINKAL CHOKSHI whose telephone number is (571) 270-3317. The examiner can normally be reached on Monday-Friday 8 - 5 pm (Alt. Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Pendleton can be reached on 571-272-7527. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/P. C./
Examiner, Art Unit 2425

/Brian T. Pendleton/
Supervisory Patent Examiner, Art Unit 2623